

ABA Military Pro Bono Project & Operation Stand-By

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The ABA Military Pro Bono Project, established in 2008, is an innovative collaboration between the military and civilian bars designed to expand legal support for active-duty enlisted service members nationwide.

The Project accepts case referrals from military legal assistance attorneys on behalf of junior-enlisted, active-duty military personnel and their families regarding civil legal problems; working to place those cases with qualified civilian attorneys ready to provide free (pro bono) assistance beyond what can ordinarily be provided by military counsel.

The Project is also the platform for Operation Stand-By, an ABA clearinghouse designed to link military attorneys with local civilian attorneys who may provide guidance and expertise in specific subject matters to best serve military clients.

“Active-duty Sailors can only be referred to the Program by a legal assistance attorney and should not contact the Pro Bono Placement Manager directly,” said Cmdr. Andrew R. House, Office of the Judge Advocate General’s Legal Assistance Policy Division (Code 16). Service members seeking legal assistance should first visit a Region Legal Service Office and speak with a military legal assistance attorney, and following that consultation, the military legal assistance attorney may decide to seek Pro Bono Program assistance for the client. The legal assistance attorney may also suggest possible courses of action for the service member prior to seeking a referral.

A Sailor, who preferred to remain anonymous for this story, used the project to resolve a divorce and child custody case. He said, “I am so happy with the legal counsel you found for me. I honestly can’t imagine being paired with a better attorney. [My attorney] was professional in every way, showed a great deal of compassion for my situation, and above all, kept my needs, and those of my children, at the forefront. I feel that the agreement that was negotiated by [my attorney] preserves my rights as a father, and ensures I’ll be able to be an integral part of my children’s lives.”

There are several conditions for project eligibility. The project is designed to assist more junior service members who might have greater difficulty covering civilian legal fees, thus, House clarified that the project is generally intended for Sailors in pay grades E6 and below. However, the servicing military legal assistance attorney may refer personnel of higher ranks to the project in cases of extraordinary circumstances and need.

Additionally, the project is generally designed to assist in certain types of civil law matters, including landlord/tenant law, consumer law (including bankruptcy), family

law, trusts and estates (including probate), guardianship, and employment law. Referrals for other civil matters may be possible, especially where a client can demonstrate significant legal need impacting his or her mission readiness.

Referral is never guaranteed, for any case. “In order to secure a referral, Sailors must demonstrate just cause and meritorious claims” said House. Sailors will not be referred for assistance in matters where no viable claim or action is apparent or inconsequential in nature.

“It’s a very case-specific, fact-specific program,” said House. “The civilian attorneys are volunteers and depending on your geographic area there may or may not be an attorney available with the relevant expertise to assist in the case.” The ABA is working diligently to increase the number of civilian volunteers, and House explained that roughly 45 percent of all cases referred by military legal assistance providers are placed with a participating civilian attorney for assistance.

“As of today, we have placed 514 cases with pro bono attorneys. These referred cases represent over \$2.4 million in billable hours donated by our volunteers to our service members,” said Ms. Mary Meixner, manager of the ABA Pro Bono Placement Program.

“It’s a very user-friendly system,” said House, and without this program, “hundreds of Sailors would have to pay legal fees to get their issue resolved. It is nothing but a win-win.”

In addition to helping military personnel and families through the pro bono placement project, the Military Pro Bono Project created Operation Stand-By to connect military legal assistance attorneys with the expertise of local volunteer civilian attorneys.

“Operation Stand-By is a resource to help legal assistance attorneys get a better understanding of local practices and local law, and how they come together so that we can do better for the clients we serve,” said House.

Volunteer attorneys sign up and agree to take calls or emails from military lawyers seeking attorney-to-attorney advice on state-specific legal issues so that the military attorneys can better serve local clients.

“Military legal assistance attorneys provide invaluable legal help to military families in a range of legal matters, but there are instances when these attorneys may not have the deep substantive expertise or state-specific legal knowledge necessary to fully advise and assist their client,” said Meixner. “Since Operation Stand-By was launched in 2011, over 300 attorneys have specifically registered with Operation Stand-By.”

“The amount of effort going into this program is impressive,” said House, Office of the Judge Advocate General’s Legal Assistance Policy Division (Code 16). “This is done out of the ABA’s genuine desire to do something good for service members.” 🌟